

40290-0009

10/622,183

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application: Daniel S.J. Choy

MAY 01 2007

Application No.: 10/622,183

Filed: July 16, 2003

Confirmation No.: 2235

Title: "Method and Apparatus for Treatment of Mono-Frequency Tinnitus Utilizing Sound Wave Cancellation Techniques"

Examiner: SMITH, Fangemonique A.

Group Art Unit: 3736

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

( ) under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)

( ) under 37 CFR 1.97 (c) together with either a:  
( ) Statement under 37 CFR 1.97(e), or  
( ) a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)

(X) under 37 CFR 1.97 (d) together with a:  
(X) Statement under 37 CFR 1.97(e)(1) or (2), and  
(X) a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

(X) Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

(X) The Examiner is hereby notified that documents cited in form PTO/SB/08 which have an asterisk (\*) have been cited and previously considered by the PTO in the above-identified parent application.

( ) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

(X) It is requested that the information disclosed herein be made of record in this application.

(X) Please charge to Deposit Account the sum of \$180.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013 pursuant to 37 CFR 1.25.

(X) I hereby certify that this correspondence is being transmitted to the US Patent and Trademark Office via facsimile number (571) 273-8300 on May 1, 2007.

Number of pages transmitted: 25

Carla Jones

Carla Jones

Respectfully submitted,

By:

Steven L. Nichols (Reg. No.: 40,326)  
Attorney/Agent for Applicant(s)  
Telephone No.: (801) 572-0185  
Date: May 1, 2007

**RADER,****FISHMAN****& GRAUER**

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**Phone:****Date:** May 1, 2007

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**Re:** Application No. – 10/622,183

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3. Information Disclosure Statement (1 page)
4. PTO/SB/08A and Statement under 37 CFR 1.97 (e) (2 pages)
5. Foreign Cited Reference (20 pages)

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Attorney Docket No.: 40290-0009

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/622,183
Filing Date	July 16, 2003
First Named Inventor	Daniel S.J. Choy
Art Unit	3736
Examiner Name	SMITH, Fangemoneique A.
Attorney Docket Number	40290-0009

**U. S. PATENT DOCUMENTS**

**FOREIGN PATENT DOCUMENTS**

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds of Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by Translation is attached. <sup>6</sup>Applicant is to place a check mark here if English language.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 1.97(e)

Sir:

The undersigned hereby certifies that either:

Each item of information contained in the Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or

No item of information contained in the Information Disclosure Statement:

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— to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

It is requested that the information disclosed herein be made of record in this application.

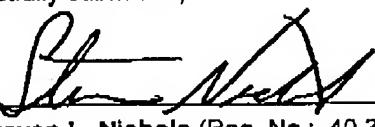
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